

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PAUL EDWARD JACKSON,

Plaintiff,

File No. 1:07-CV-1086

v.

HON. ROBERT HOLMES BELL

ALLEGAN COUNTY JAIL, et al.,

Defendants.

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On December 19, 2007, United States Magistrate Judge Joseph G. Scoville issued a Report and Recommendation ("R&R") recommending that Plaintiff Paul Edward Jackson's prisoner civil rights complaint be dismissed pursuant to 28 U.S.C. §§ 1915(e)(2), 1915A(b), and 42 U.S.C. § 1997e(c) for failure to state a claim. (Dkt. No. 5.) Plaintiff did not file objections to the R&R. However, on January 4, 2008, Plaintiff filed a motion to amend his complaint. (Dkt. No. 8.) On January 28, 2008, Magistrate Judge Scoville issued an R&R recommending that Plaintiff's motion for leave to amend his complaint be denied as futile. (Dkt. No. 10.) Plaintiff did not file objections to the R&R.

The Court has reviewed both R&Rs and is satisfied that they correctly conclude that Plaintiff has failed to state a claim and that his proposed amendment could not withstand a motion to dismiss. Accordingly,

IT IS HEREBY ORDERED that the December 19, 2007 and the January 28, 2008 R&Rs of the Magistrate Judge (Dkt. Nos. 5, 10) are **APPROVED** and **ADOPTED** as the opinions of the Court.

IT IS FURTHER ORDERED that Plaintiff's motion to amend complaint (Dkt. No. 8) is **DENIED** as futile.

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED** for failure to state a claim pursuant to 28 U.S.C. §§ 1915(e)(2), 1915A, and 42 U.S.C. § 1997e(c).

IT IS FURTHER ORDERED that this dismissal shall count as a **STRIKE** for purposes of 28 U.S.C. § 1915(g).

IT IS FURTHER ORDERED that the Court finds no good-faith basis for appeal within the meaning of 28 U.S.C. § 1915(a)(3).

Date: February 25, 2008

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE